

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Robert D. Hill

Title: METHOD OF MODIFYING PLANT  
PHENOTYPES WITH NONSYMBIOTIC  
HEMOGLOBIN

Appl. No.: 10/582,321

International 12/10/2004

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Examiner: Phuong T. Bui

Art Unit: 1638

Confirmation 4952  
Number:

**RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY  
AMENDMENT UNDER 37 CFR 1.115**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a response to the Restriction Requirement mailed January 6, 2011.

In response to the restriction between (I) methods comprising transforming a plant to increase the level of expression of non-symbiotic hemoglobin and (II) methods comprising transforming a plant to decrease the level of expression of non-symbiotic hemoglobin, Applicants hereby elect the subject matter of **Group II** (decreasing) **with traverse**.

Applicants request that the application be amended prior to substantive examination:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 4 of this document.